

**BYLAW NO. 1810/2015
TOWN OF REDCLIFF**

A BYLAW OF THE TOWN OF REDCLIFF IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE LICENSING, REGULATING AND CONFINEMENT OF DOGS.

This Bylaw shall be known and may be cited as the "Dog Control Bylaw" of the Town of Redcliff.

WHEREAS, by virtue of the power conferred on it by the Municipal Government Act, the Council of the Town of Redcliff, in the Province of Alberta, duly assembled, enacts as follows:

NOW THEREFORE THE MUNICIPAL CORPORATION OF REDCLIFF, IN COUNCIL ASSEMBLED, ENACTS AS FOLLOWS:

INTERPRETATION AND DEFINITIONS

1. In this Bylaw the following terms (unless the context specifically requires otherwise) shall have the following meanings:
 - a) "**Animal Control Officer**" shall mean a Bylaw Enforcement Officer/Community Peace Officer appointed by the Town to do any act or perform any duties under this Bylaw and includes a member of the Municipal Police Force, the Royal Canadian Mounted Police and, when authorized, , or anyone authorized by the animal control Officer to act on their behalf;
 - b) "**At Large**" shall mean where a Dog which is at any place other than the property of the Dog Owner or property of person having possession of the Dog and is not being carried by any person or is not otherwise restrained by a Permitted Leash held by a person and that leash is attached to a choke chain, collar or harness securely holding that Dog;
 - c) "**Controlled Confinement**" shall mean the confinement of a Dog in a pen, cage or building or securely tethered in a manner that will not allow the Dog to bite, harm or harass any person or animal;
 - d) "**Dog**" shall mean either the male or female of any domesticated canine species. For the purpose of this Bylaw, the terms Restricted **Dog** and Vicious **Dog** shall be used to broader define a **Dog** for licensing, penalty, and control provisions;
 - e) "**Dog Damaging Public or Private Property**" shall include a **dog** defecating or urinating on a Public Property Area or on Private Property other than the property of the **dog** owner;
 - f) "**Dog Show**" shall mean any event for the purpose of showing or exhibiting **Dogs** which is sanctioned or recognized by the Canadian Kennel Club;
 - g) "**Dog Training School**" shall mean any facility for which the primary purpose is the training of **Dogs**, and at which facility **Dog** training activities are under the direct control and supervision of a **Dog** trainer;
 - h) "**Kennel**" shall mean any property, wherein three (3) or more **Dogs** are harboured, boarded, permitted or sheltered within the municipal boundaries of the Town;



- i) "**Land Use Bylaw**" shall mean the Town's **Land Use Bylaw**, as amended from time to time or replaced by a land use Bylaw enacted pursuant to the Planning Act (R.S.A. 1980, c. p-9).
- j) "**License**" shall mean a **Dog License** issued by the Town in accordance to the provisions of this Bylaw;
- k) "**License Tag**" shall mean an identification tag issued by the Town showing the license number for a specific Dog;
- l) "**License Fee**" shall be that fee set out in Schedule "B" of this Bylaw;
- m) "**Off Leash Area**" shall mean the area identified on Schedule "D" and where an **Owner** may exercise their **dog** without a **permitted leash**.
- n) "**Owner**" shall mean:
1. a person who has the care, charge, custody, possession or control of a **Dog**;
 2. a person who owns or who claims any proprietary interest in a **Dog**;
 3. a person who harbours, suffers or permits a **Dog** to be present on any property owned or under his control;
 4. a person who claims and receives a **Dog** from the custody of the Town **Dog** Shelter or a **Dog** Control Officer or;
 5. a person to whom a Licence Tag was issued for a **Dog** in accordance with this Bylaw;
- o) "**Permitted Leash**" shall mean a leash adequate to control the **Dog** to which it is attached, and which leash shall not exceed two metres in length. **Permitted Leash** to control a **Vicious** shall not exceed one meter in length;
- p) "**Possession**" shall mean:
1. having physical or effective control of a **Dog**;
 2. having given physical or effective control of a **Dog** to another person for the purpose of controlling the **Dog** for a period of time;
 3. where one of two or more persons has physical or effective control of a **Dog**, it shall be deemed to be in the control of each and all of them.
- q) "**Property Owner**" shall mean any person having a legal or equitable interest in any land or building and includes any resident, tenant or occupier of such land or building;
- r) "**Public Property Area**" shall mean property owned by or under the control and management of the Town within the borders of the Town;
- s) "**Replacement License Tag**" shall mean a License Tag to replace a lost or damaged License Tag, pursuant to section 9, herein.
- u) "**Secure Enclosure**" shall mean a building, cage or fenced area of such construction that will not allow the confined **Dog** or **Dogs** to escape from that enclosure.
- v) "**Service Dog**" means a service dog as defined in the Service Dogs Act, R.S.A. 2000 c.S-7.5.



- w) "**Spayed or Neutered**" shall mean a dog that has been issued a certificate by a licensed Veterinarian stating the animal has been spayed or neutered.
- x) "**Vicious Dog**" shall mean:
1. any **Dog** with a known propensity, tendency or disposition to attack, without provocation, any person or animal;
 2. any **Dog** which has been deemed to be dangerous by a Justice, under the provisions of the Dangerous Dogs Act of Alberta, as amended;
 3. is a continuing threat of serious harm to humans or other animals or;
 4. without provocation, chases any person in a threatening manner or;
 5. has inflicted a wound upon a human or upon a domestic animal without provocation.
- y) "**Town**" shall mean the **Town** of Redcliff;
- z) "**Town Animal Shelter**" shall mean premises designated by the **Town** for the impoundment and care of **Dogs**;
- aa) "**Violation Ticket**" shall mean a ticket as defined in Part 2 of the Provincial Offences Procedures Act.

LICENSING PROVISIONS

2. Every person who resides within the Municipal boundaries of the Town of Redcliff and being the Owner of a Dog, shall prior to the end of February of each calendar year (January 1 - December 31), pay the License Fee as set out in Schedule "B" of this Bylaw, and obtain a Licence Tag for each Dog for the current calendar year, (January 1 - December 31) by applying at the Town office.
3. Every person residing in the Town who becomes the Owner of a Dog, or a person who takes up residence within the Town and who is the Owner of a Dog which is not licensed in accordance with this Bylaw, shall pay the Licence Fee, as set out in "Schedule B" of this Bylaw, and obtain a License within fifteen (15) days after becoming the Owner of the Dog or being the Owner of the **Dog** and taking up residence within the **Town**. Registered **Service Dogs** must be licensed; however, they will be exempt from the annual fee.
4. A **Dog Owner** shall provide to the **Town** the following information with each application for a **Dog** Licence:
 - a) Name and street address of the Owner;
 - b) Name and description of the Dog to be licensed;
 - c) The breed or breeds of the Dog; and
 - d) Such other relevant and necessary information as may be required by the **Town** in respect to the **License** application.
5. A **License** issued under this Bylaw shall not be transferable from one **Dog** to another, nor from one **Owner** to another.
6. Upon payment of the required **License Fee** and providing to the **Town** that information set out at Section 4, herein, the **Owner** will be supplied by the **Town** with a Licence Tag having a number which will be registered to that **Dog**.



7. Every Owner shall ensure that the License Tag is securely fastened to a choke chain, collar or harness worn by the Dog, with the License Tag to be worn by the Dog at all times when the Dog is on property other than the property of the Dog Owner or property controlled by him.
8. An Owner of an unlicensed Dog, , or Vicious Dog over the age of six (6) months is guilty of an offence.
9. The Owner of a Dog which has been licensed under this Bylaw may obtain a replacement License Tag to replace one which has been lost or damaged, upon payment of the Replacement License Tag fee as set out in "Schedule B" of this Bylaw.
10. An **Owner** of a Licensed **Dog** is guilty of an offence if that **Dog** is not wearing a **License Tag** while on property other than the property of the **Dog Owner** or property controlled by him.
11. The provisions of Sections 2 to 9, herein, shall not apply to the following:
 - a) Persons temporarily visiting in the Town for a period not exceeding 15 days; and
 - b) Any person(s) holding a valid license to operate a retail pet sales, grooming or boarding business within the **Town**.

DOG CONTROL PROVISIONS

12. An Owner whose Dog is At Large is guilty of an offence;
13. An Owner whose Dog barks or howls so as to disturb the quiet or repose of any person is guilty of an offence;
14. An Owner of any Dog Damaging Public or Private Property within the municipal boundaries of the **Town** is guilty of an offence;
15. The **Town** may post signs indicating those **Public Property Areas** where **Dogs** are not permitted, and an **Owner** whose **Dog** is in an area where a sign prohibits the presence of **Dogs**, whether **At Large** or under the control of such **Owner**, is guilty of an offence;
16. Any person who harbours, boards, permits or shelters three or more **Dogs** over the age of six (6) months on any property within the municipal boundaries of the **Town** is guilty of an offence;
17. Section 16, herein, shall not apply to:
 - a) Premises lawfully used for the care and treatment of Dogs, operated by, or under the supervision of a licensed Veterinarian;
 - b) Any premises which has been approved for the purpose of a Dog Show by the Town;
 - c) Any person in possession of a valid **Town** development permit to operate a **Kennel** within the **Town**, as authorized by the **Town Land Use Bylaw**;
18. An **Owner** of a **Dog** is guilty of an offence if such **Dog**:
 - a) Threatens, attacks, bites, or harasses any person;
 - b) Chases any person while such person is walking, running, on bicycle or horseback.



- c) Bites, attacks, harasses, injures or kills any animal belonging to any person.
 - d) This section does not apply if the chase, attack, bite or damage is a direct result of a Dog being provoked.
19. An **Owner** whose **Dog** is unrestrained in the open box area of a truck or an open trailer while the truck or trailer is parked is guilty of an offence.
20. An Owner or any other person having care or control of a Dog, shall forthwith remove any defecation left by it on public property or private property other than that of the Owner.
21. The Owner or any other person having care or control of a Dog shall ensure that defecation apparently left by it on the property of the Owner does not accumulate to such an extent that it is reasonably likely to annoy or pose a health risk to others.
22. If an Owner of a dog is on any public place or property other than the property of its owner, the owner shall have in his possession a suitable means of facilitating the removal of the dog's feces.

Vicious Dog

23. An Owner of a Vicious Dog is guilty of an offence if such Dog is not at all times, while on property of which the Owner is the Property Owner, confined within a Secure Enclosure, unless such Dog is on a Permitted Leash held and controlled by the Owner.
24. An Owner of a Vicious Dog is guilty of an offence and liable to the penalty provisions of this Bylaw if such Dog is At Large.
25. At all times, when off the property of the Owner, a Vicious dog shall be securely:
- a) Muzzled; and
 - b) Harnessed or leashed on a lead which length shall not exceed one (1) meter in a manner that prevents it from chasing, injuring or biting other domestic animals or humans as well as preventing damage to public or private property; and
 - c) Under the control of a person over the age of eighteen (18) years.
26. The Owner of a **Vicious** dog shall:
- a) Obtain a vicious dog license on or before the fifth day on which the Town office is open for business after the dog has been declared as vicious by the Provincial Court;
 - b) Thereafter obtain the annual license for the vicious dog on such day specified in SCHEDULE "B";
 - c) Notify the Animal Control Officer should the dog be sold, gifted, or transferred or deceased;
 - d) Remain liable for the actions of the dog until formal notification of sale, gift or transfer is given to the Animal Control Officer; and
 - e) Notify the Animal Control Officer if the dog is running at large;
 - f) Have a licensed veterinarian tattoo or implant an electronic identification microchip in the Animal
 - g) Provide the information contained on the tattoo or in the microchip to the Director, Community and Protective Services
 - h) Attend dog behavior training performed by a Dog Trainer approved by the Director of Community and Protective Services within thirty (30) days of the Dog

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being deemed vicious unless otherwise approved by the Town Manager

- i) The Owner of a Vicious Dog shall have liability insurance specifically covering any damages for personal injury caused by the Vicious Dog in an amount not less than Two Million (\$2,000,000) Dollars.

27. Any person interfering with, hindering or impeding an Animal Control Officer in the performance of any duty authorized by this Bylaw is guilty of an offence.

OFF LEASH AREA(S)

28. Notwithstanding Section 12 the Town has designated **Off Leash Areas** (Schedule C) where a dog may be exercised while not restrained by a **Permitted Leash**.
29. No Owner of a Dog may exercise a dog in an off-leash area while not restrained by a **Permitted Leash** unless:
 - a) the dog is under the control of a person of at least 18 years of age; and
 - b) the dog is not a Vicious Dog.
30. Whether a dog is under control is a question of fact to be determined by a Court hearing a prosecution pursuant to this Section of the Bylaw, having taken into consideration any or all of the following:
31. Whether the dog is at such a distance from its Owner so as to be incapable of responding to voice, sound or sight commands;
 - a) Whether the dog has responded to voice, sound or sight commands from the Owner;
 - b) Whether the dog has bitten, harassed, attacked, or done any act that injures a person or another animal.
 - c) Whether the dog chased or otherwise threatened a person;
 - d) Whether the dog caused damage to property.
32. An Owner who fails to immediately restrain and remove the dog upon it engaging in any of the activities outlined in Section 18, by restraining the dog on a leash not exceeding two (2) metres in length and removing the dog from the Off Leash Area, is guilty of an offence.
33. Nothing in this Section relieves a person from complying with any other provisions of this Bylaw.

POWERS OF AN ANIMAL CONTROL OFFICER

34. The Animal Control Officer is authorized to capture and impound in the Town Animal Shelter any Dog that:
 - a) is at large;
 - b) bites any person;
 - c) is actually or apparently over the age of six (6) months and for which no current license has been issued pursuant to the provisions of this bylaw;
 - d) is required to be impounded pursuant to the provisions of any Statute of Canada, of the Province of Alberta or any regulation made hereunder.



35. The Animal Control Officer is further authorized to take such reasonable measures as necessary to subdue such dogs, including the use of tranquillizer equipment and materials. If any such Dog is injured, it may be taken to a Veterinarian for treatment to relieve pain or bleeding, then to the Town Animal Shelter.
36. The Animal Control Officer, or Peace Officer may enter onto any privately owned premises, provided, however, that in this Section the word "premises" does not include a building, as is required to enforce the provisions of this bylaw.
37. An impounded dog may be kept in the Town Animal Shelter for a period of seventy-two (72) hours. Saturdays, Sundays and Statutory holidays shall not be included in the computation of the seventy-two (72) hour period. During this period, any Dog may be redeemed by its Owner before 4:00 pm. On normal working days, upon payment to the Town:
- a) The appropriate impoundment fee as set out in Schedule "B" of this Bylaw;
 - b) The appropriate License Fee when the Dog is not licensed; and
 - c) The cost of any veterinary treatment of any Dog that is found to be injured when captured or injured in the process of capture.
38. Upon having been impounded in the Town Animal Shelter for a period of seventy-two (72) hours in accordance with the provisions of Section 29, herein, the Animal Control Officer is authorized to:
- a) Offer the Dog for adoption;
 - b) Destroy the Dog in a humane manner;
 - c) Allow the Dog to be redeemed by its Owner in accordance with the provisions of Section 29;
 - d) Continue to impound the Dog for an indefinite period of time.
39. The purchaser of a dog from the town animal shelter pursuant to the provisions of this bylaw will obtain full right and title to it and the right and title of the former owner to the domestic animal will cease thereupon.
40. Any person desiring to purchase an impounded dog from the Town of Redcliff must pay the license fee as set out in Schedule "B", for the dog. In addition to the license fee, the adoption fee, as set out in Schedule "B" must also be paid to the Town.

PENALTY PROVISIONS

41. Any person who contravenes any provision of this Bylaw is guilty of an offence and may be issued a Violation Ticket under Part Two (2) of the Provincial Offences Procedure Act with a Specified Penalty Option as set out in Schedule "A" of this Bylaw.
42. Under no circumstances shall any Person contravening any provision of this Bylaw be subject to the penalty of imprisonment.
43. Nothing in this Bylaw shall be construed as curtailing or abridging the right of the Town to obtain compensation or to maintain an action for loss of or damage to property from or against the Person or Persons responsible.
44. Notwithstanding Section 34(Section 34(a), 34(b), or 34(c)) of this Bylaw, any person who



commits a subsequent offence under this Bylaw within one (1) year of committing the first offence may be issued a Violation Ticket with a Specified Penalty Option set out under the "subsequent offence" column in Schedule "A" of this Bylaw.

45. Where a contravention of this Bylaw is of a continuing nature, further Violation Tickets may be issued provided however, that no more than one **Violation Ticket** shall be issued for each day that the contravention continues.
46. Every person who fails to make voluntary payment of the Specified Penalty Option and is found guilty of an offence under Part Two (2) of the Provincial Offences Procedure Act may be liable to a fine of not more than \$2000.00.

SEVERABILITY

47. Should any provision of this Bylaw be invalid, then such invalid provision shall be severed and the remaining Bylaw shall be maintained.

EFFECTIVE DATE

48. This Bylaw shall come into force on the January 1, 2016.

REPEAL OF BYLAWS

49. Bylaw No. 1800/2015 is repealed with the coming into force of this Bylaw.

Read a first time this 28th day of September, 2015.

Read a second time this October 13, 2015.

Read a third time this October 26, 2015.

Signed and passed this 2 day of Nov, 2015.



Mayor



Manager of Legislative & Land Services

**SCHEDULE "A"
PENALTIES**

Offence	Penalties	Subsequent Offence	Sect.
1. Failure to have a current Dog License for a:			
- Vicious Dog	\$275.00	\$550.00	8
- Dog	\$100.00	\$200.00	8
2. Licensed Dog not wearing License Tag	\$100.00	\$200.00	10
3. Dog At Large:			
- Vicious Dog	\$500.00	\$1,000.00	24
- Dog	\$100.00	\$200.00	12
4. Vicious Dog in Off Leash Area	\$275.00	\$550.00	29
5. Dogs not under control in Off Leash Area	\$100.00	\$200.00	29
6. Dogs Unrestrained in exterior of vehicle	\$100.00	\$200.00	19
7. Dog in an area where the presence of dogs is prohibited by a sign	\$100.00	\$200.00	15
8. Harboring 3 or more Dogs over the age of six (6) months	\$100.00	\$200.00	16
9. Dog Damaging Public Or Private Property	\$100.00	\$200.00	14
10. Interference with enforcement of this Bylaw	\$275.00	\$550.00	27
11. Dog barking or howling	\$100.00	\$200.00	13
12. Dog that is:			
- threatening, attacking, biting or harassing any person	\$500.00	\$1000.00	18(a)
- chasing persons	\$250.00	\$500.00	18(b)
- biting, attacking, harassing, injuring or killing any animal	\$250.00	\$500.00	18(c)
13. Failure to remove defecation left by dog	\$50.00	\$75.00	20, 21
14. Vicious Dog that is:			
- Not Muzzled	\$500.00	\$1000.00	25(a)
- Harnessed or leashed on a lead which length exceeds one (1) meter	\$100.00	\$200.00	25(b)

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	- Not under the control of a person over the age of eighteen (18) years.	\$100.00	\$200.00	25(c)
15.	Fail to notify Town that Vicious dog is running at large	\$500.00	\$1000.00	26(e)
16.	An offence under this Bylaw, for which a penalty is not otherwise provided	\$110.00	\$220.00	

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SCHEDULE "B"

FEES

1. a) License for each Spayed or Neutered Dog over six(6) months and if such Dog is not a Vicious Dog as defined in this Bylaw – Proof in the form of a Veterinarians Certificate must be supplied.	\$15.00
b) License for each Dog over six (6) months and if such Dog is not a Vicious Dog as defined in this Bylaw	\$30.00
c) License for registered Service Dog	EXEMPT
2. License for a: - Vicious Dog	\$ 500.00
3. Replacement License Tag	\$ 3.00
4. Impoundment fees - Vicious Dog	\$ 275.00
- Other Dogs	\$ 55.00
- After hours call out	\$150.00
5. Care and sustenance of each Dog per day	\$ 15.00
6. Adoption Fee	\$10.00
7. Veterinary Fees	\$ Amount Expended
8. Euthanasia Fees	\$ Amount Expended

Guidelines

Applications made between:

- (a) January 1 and July 31 of the same year pay the full fee.
- (b) August 1st and November 30th pay fifty (50%) of fee.
- (c) December 1st and December 31st full fee to be applied to the subsequent year, and such **Dog** will be considered to be licensed from the date of the application.

